

90-869

NO. _____

IN THE

SUPREME COURT OF THE UNITED STATES

October Term 1990

JOSEPH A. MAYERCHECK
Petitioner,

v.

ELLEN WOODS,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF PENNSYLVANIA

RESPONDENT'S MEMORANDUM OPPOSING
CERTIORARI

Ellen Woods, Pro se
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Apt. 8
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Supreme Court, U.S.
FILED

JAN 2 1991

JOSEPH F. SPANIOLO, JR.
CLERK

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MEMORANDUM OPPOSING CERTIORARI

Respondent represents to the Court
as follows:

1. In January of 1989, the Pennsylvania Superior Court affirmed the trial court's Order directing Petitioner to pay Respondent \$600 per month in child support. This order was arrived at by calculating the Petitioner's net monthly income(\$4,250) and Respondent's earning capacity(\$1,250) and applying the child support guidelines.

Petitioner's petition for allowance of appeal to the Pennsylvania Court was denied.



2. In his appeals of the support order to both the Superior and Supreme Courts of Pennsylvania, the Petitioner purported to state federal claims e.g. "Is there collusion between the Superior Court and the lower court to extort money for the purpose of racketeering, a federal violation under the R.I.C.O. Act?".

3. No state court decision in any of the multitude of pleadings filed by the Petitioner has ever turned on the determination of a federal question. All state court decisions have rested only on adequate and independent state grounds. In point of fact, when Petitioner did purport to raise federal claims in a suit filed in the trial court of Pennsylvania, that court dismissed, citing lack of jurisdiction. Petitioner then filed the same suit in district court. That court dismissed



his suit and the circuit court affirmed.

4. In addition to never raising a federal claim, only purporting to state one, the Petitioner did not even raise questions numbers one(1) and three(3) below. Therefore, they are not preserved for review. It is too late to raise the federal question for the first time in the notice of appeal to the Supreme Court. Whitney v. California, 274 U.S. 357(1927), nor does stating, in an appearance on the Oprah Winfrey Show, that you intend to pursue a claim all the way to the United States Supreme Court, as the Petitioner did, preserve issues.

Petitioner's response to having to comply with a ruling that another person or system requires of him has always been responded to with a verbal refusal and, usually, followed by a filing. He has profusely utilized the court system, consistently objected to rulings by the

representatives of the court system, ranging from judges, court appointed psychologists, master and hearing officers, attorneys and on and on.

This calendar year alone has produced approximately 20 motions and miscellaneous filings. This saga has been in progress for approximately 11 years.

I am not surprised that you have been added to the list. Almost three years ago, an attorney informed me that Petitioner wouldn't stop until he became "part of history" in the United States Supreme Court. It is my intent, that if I am to go down in history, it will be for my sane approach to this "litigation mania".

Therefore, the petition for writ of certiorari should be denied.

Respectfully submitted,

Ellen Woods
Ellen Woods, Respondent Pro se



CERTIFICATE OF SERVICE

I, Ellen Woods, certify that on the 29th day of December, 1990, three copies of the foregoing memorandum opposing certiorari were mailed first class postage pre-paid to the following:

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Ellen Woods
Ellen Woods, Pro se